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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,778	12/27/2000	Constance Liu	9805	4051

7590 12/18/2003
Constance Liu
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Cupertino, CA 95014

EXAMINER

LE, NHAN T

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 12/18/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/748,778

Examiner

Nhan T Le

Applicant(s)

LIU, CONSTANCE

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.

- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because it contains 2 paragraphs. The abstract should be limited to a single paragraph. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 3, 5, 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Troedel (US 6,304,817).

As to claim 1, Troedel teaches a radio system in a vehicle for allowing multiple drivers to store, select and tune to preferred radio stations, the radio system comprising:

an identification system including a plurality of remote devices of a keyless entry system for the vehicle wherein each remote device being capable of generating a uniquely-coded transmission for generating a first current driver identity (see fig. 1, fig. 2, number 4, col. 3, lines 12-13) ;

a vehicle micro-controller located in the vehicle and the vehicle micro controller being operatively coupled to the identification system for receiving the first current driver identity (see fig. 2, number 5, col. 3, lines 13-14);

a radio including preference means for receiving preferred station information for storage (see fig. 2, number 6, col. 3, lines 15-16), memory for storing the preferred station information for storage (see fig. 2, number 2, col. 3, lines 1-2) and control electronics for preferred station information processing and for receiving the first current driver identity from the vehicle micro-controller and linking in the memory the first current driver identity to the preferred station information for storage (see fig. 2, number 5, lines 42-47); and

the preference means further receiving preferred station information for selection and tuning and the control electronics being operatively configured to receive a second current driver identity from the identification system and further being configured to respond to the preferred station information for selection and tuning by selecting and tuning to the preferred station information for storage whose linked first current driver identity matching with the second current driver identity (see col. 3, lines 39-47).

As to claim 3, Troedel further teaches the radio system as claimed in Claim 1 wherein each remote device generates an identification transmission different from that of others (see col. 3, lines 2-11).

As to claim 5, Troedel teaches a radio system in a vehicle for allowing multiple drivers to store, select and tune to preferred radio stations, the radio system comprising:

an identification system for generating a first current driver identity (see fig. 2, number 4, col. 3, lines 12-13);

a vehicle micro-controller located in the vehicle and the vehicle micro controller being operatively coupled to the identification system for receiving the first current driver identity (see fig. 2, number 5, col. 3, lines 13-14);

a radio including preference means for receiving preferred station information for storage (see fig. 2, number 6, col. 3, lines 15-16), memory for storing the preferred station information for storage (see fig. 2, number 2, col. 3, lines 1-2), and control electronics for preferred station information processing and for receiving the first current driver identity from the vehicle micro-controller and linking in the memory the first current driver identity to the preferred station information for storage (see fig. 2, number 5, lines 42-47); and

the preference means further receiving preferred station information for selection and tuning and the control electronics being operatively configured to receive a second current driver identity from the identification system and further being configured to respond to the preferred station information for selection and tuning by selecting and tuning to the preferred station information for storage whose linked first current driver identity matching with the second current driver identity (see col. 3, lines 39-47).

As to claim 6, Troedel further teaches the radio system as claimed in Claim 5 wherein the preference means includes a plurality of mechanical push buttons (see fig. 2, numbers 7, 8, col. 3, lines 19-22).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Troedel (US 6,304,817) as applied to claim 1 above, in view of Andrews (US 6,236,350).

As to claim 2, Troedel fails to teach the radio system as claimed in Claim 1 wherein each remote device has more than one trigger button wherein each button generates an identification transmission different from that of others. Andrews teaches the radio system as claimed in Claim 1 wherein each remote device has more than one trigger button wherein each button generates an identification transmission different from that of others (see col. 3, lines 35-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Andrews into the system of Troedel in order to quickly and easily identify the stored reference code numbers (see col. 2, lines 39-40, as suggested by Andrews).

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Troedel (US 6,304,817), in view of the Applicant's Admitted prior art (see the present specification, page 6, lines 3-8).

As to claim 4, Troedel teaches a radio system in a vehicle for allowing multiple drivers to store, select and tune to preferred radio stations, the radio system comprising:

a vehicle micro-controller located in the vehicle and the vehicle micro controller being operatively coupled to the identification system for receiving the first current driver identity (see fig. 2, number 5, col. 3, lines 13-14);

a radio including preference means for receiving preferred station information for storage (see fig. 2, number 6, col. 3, lines 15-16), memory for storing the preferred station information for storage (see fig. 2, number 2, col. 3, lines 1-2), and control electronics for preferred station information processing and for receiving the first current driver identity from the vehicle micro-controller and linking in the memory the first current driver identity to the preferred station information for storage (see fig. 2, number 5, lines 42-47); and

the preference means further receiving preferred station information for selection and tuning and the control electronics being operatively configured to receive a second current driver identity from the identification system and further being configured to respond to the preferred station information for selection and tuning by selecting and tuning to the preferred station information for storage whose linked first current driver identity matching with the second current driver identity (see col. 3, lines 39-47).

Troedel fails to teach an identification system including a His/Her toggle switch located inside the vehicle for generating a first current driver identity;

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Applicant's admitted prior art discloses that an identification system including a His/Her toggle switch located inside the vehicle for generating a first current driver identity is known in the art (see page 6, lines 3-8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of the Applicant's Admitted prior art into the system of Troedel in order to enhance system performance of Troedel for identifying the driver identity.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reed (US 5,263,181) teaches remote transmitter for triggering a voice operated radio.

Koenig (US 5,781,123) teaches operator control logging device for an electrical device.

Lee (US 5,797,087) teaches method and apparatus for performing a preset listening operation for a radio broadcast.

Cummings (US 6,470,178) teaches vehicle radio having rds preset and method therefor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T Le whose telephone number is 703-305-4538. The examiner can normally be reached on 08:00-05:00 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax

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phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nhan T. Le



NGUYENT.VO
PRIMARY EXAMINER